

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:

JIMMY ALLEN SHAFER
TANGA KAY SHAFER

CASE NO: 08-70557-HDH-13
HEARING DATE: 9/16/2009
HEARING TIME: 11:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND
PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2006-08 and would respectively show unto to the Court as follows:

I.

OBJECTION -- NO PROOF OF CLAIM FILED

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
020 0 U	BANK OF AMERICA	\$15,840.00	023 0 U	CHASE	\$6,417.00
024 0 U	CHASE	\$1,701.00	029 0 U	DILLARDS	\$372.53
030 0 U	HIGH PLAINS RADIOLOGY	\$547.17			

II.

SPECIFIC OBJECTIONS

No Objections

III.

TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<u>SECURED CREDITORS</u>							
008 0 *	AMARILLO NATIONAL BANK	2001 PONTIAC GRAND AM	\$2,790.92	\$4,775.00	10.00%	60	\$61.61 PAID BY TRUSTEE
009 0 *	TOYOTA MOTOR CREDIT CORPORATION	2002 TOYOTA HIGHLANDER	\$14,917.49	\$14,917.49	10.00%	60	\$335.64 PAID BY TRUSTEE
010 0	AMARILLO NATIONAL BANK	1997 MITSUBISHI 300 GT	\$19,108.04	\$19,108.04			PD DIRECT BY DEBTOR
011 0	CITIMORTGAGE INC	HOMESTEAD	\$161,352.65	\$166,927.00			PD DIRECT BY DEBTOR
012 0	RANDALL COUNTY APPRAISAL DISTRICT	PROPERTY TAXES	\$0.00	\$166,927.00			PD DIRECT BY DEBTOR
<u>PRIORITY CREDITORS</u>							
003 0 *	INTERNAL REVENUE SERVICE	07 INCOME TAXES	\$3,567.18			60	\$22.21 PAID BY TRUSTEE

UNSECURED GENERAL CREDITORS

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
013 0 U	BECKET & LEE LLP PURCHASES / AMERICAN EXPRESS	\$11,767.19	014 0 U	BECKET & LEE LLP PURCHASES/AMERICAN EXPRESS CENTURION BANK	\$1,167.53
015 0 U	ECAST SETTLEMENT CORPORATION PURCHASES/BANK OF AMERICA	\$39,747.02	016 0 U	ROUNDUP FUNDING LLC PURCHASES/BANK OF AMERICA	\$20,812.03

017 0 U	FIA CARD SERVICES	\$12,920.03	018 0 U	ROUNDUP FUNDING LLC	\$16,194.18
	<i>PURCHASES/BANK OF AMERICA</i>			<i>PURCHASES/BANK OF AMERICA</i>	
019 0 U	ROUNDUP FUNDING LLC	\$17,918.22	021 0 U	PRA RECEIVABLES MANAGEMENT	\$2,250.79
	<i>PURCHASES/FLEET BANK OF AMERICA</i>			<i>PURCHASES/FLEET BANK OF AMERICA</i>	
022 0 U	ECAST SETTLEMENT CORPORATION	\$5,704.33	025 0 U	PORTFOLIO RECOVERY ASSOCIATES LLC	\$12,171.82
	<i>PURCHASES/CAPITAL ONE BANK</i>			<i>PURCHASES/CITIBANK</i>	
026 0 U	DISCOVER FINANCIAL SERVICES	\$8,746.03	027 0 U	DISCOVER FINANCIAL SERVICES	\$5,853.49
	<i>PURCHASES</i>			<i>PURCHASES</i>	
028 0 U	FIRST EQUITY CARD	\$2,315.11	031 0 U	ECMC	\$11,374.72
	<i>PURCHASES</i>			<i>STUDENT LOAN</i>	
032 0 U	PORTFOLIO RECOVERY ASSOCIATES LLC	\$14,058.65	033 0 U	WELLS FARGO FINANCIAL BANK	\$8,388.04
	<i>PURCHASES/AT&T CITIBANK</i>			<i>PURCHASES</i>	
035 0 U *	INTERNAL REVENUE SERVICE	\$976.80			
	<i>PENALTY</i>				
	<i>Not provided for in confirmed plan.</i>				

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

IV.

TRUSTEE'S PLAN MODIFICATION

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2006-08 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

No Modification Needed

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 9/16/2009 AT 11:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

LIVE: US COURTHOUSE ROOM 222, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 08:30 AM. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2006-08 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 7/24/2009

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

AMARILLO NATIONAL BANK ATTN: SPECIAL ASSETS DEPT PO BOX ONE AMARILLO TX 79105
AMARILLO NATIONAL BANK PO BOX 949 BORGER TX 79008
AMERICAN EXPRESS C/O BECKETT AND LEE LLP PO BOX 3001 MALVERN PA 19355
BANK OF AMERICA 4161 PIEDMONT PARKWAY NC4-105-03-14 GREENSBORO NC 27410
BANK OF AMERICA PO BOX 15026 WILMINGTON DE 19850
BANK OF AMERICA PO BOX 26012 GREENSBORO NC 27420
BECKETT & LEE LLP ATTORNEYS AT LAW 16 GENERAL WARREN, PO BOX 3001 MALVERN PA 19355
CAPITAL ONE C/O TSYS DEBT MANAGEMENT PO BOX 5155 NORCROSS GA 30091
CHASE BANKRUPTCY DEPARTMENT PO BOX 15298 WILMINGTON DE 19850
CITI ATTN CENTRALIZED BANKRUPTCY PO BOX 20507 KANSAS CITY MO 64195
CITI MORTGAGE INC PO BOX 79022 MS 322 ST LOUIS MO 63179
CITIMORTGAGE INC PO BOX 6941 THE LAKES NV 88901
DILLARDS C/O GE MONEY BANK PO BOX 103104 ROSWELL GA 30076
DISCOVER FINANCIAL SERVICES PO BOX 3025 NEW ALBANY OH 43054
ECAST SETTLEMENT CORPORATION PO BOX 35480 NEWARK NJ 07193
ECMC 7325 BEAUFONT SPRINGS SUITE 200 RICHMOND VA 23225
ECMC LOCKBOX # 8682 PO BOX 75848 ST PAUL MN 55175
ECMC PO BOX 75906 ST PAUL MN 55175
FIA CARD SERVICES C/O B-LINE LLC MS550 PO BOX 91121 SEATTLE WA 98111
FIRST EQUITY CARD C/O CREDITORS BANKRUPTCY SERVICE PO BOX 740933 DALLAS TX 75374
FIRST EQUITY PO BOX 84075 COLUMBUS GA 31908
HIGH PLAINS RADIOLOGY PO BOX 3780 AMARILLO TX 79116
INTERNAL REVENUE SERVICE PO BOX 21125 PHILADELPHIA PA 19114
INTERNAL REVENUE SERVICE PO BOX 21126 PHILADELPHIA PA 19114
INTERNAL REVENUE SERVICE SPECIAL PROCEDURES 1100 COMMERCE ST MC 5027DAL DALLAS TX 75248
JIMMY ALLEN SHAFER & TANGA KAY SHAFER 7622 TARRYTOWN AMARILLO TX 79121
MONTE J WHITE ATTORNEY AT LAW 1106 BROOK AVE HAMILTON PLACE WICHITA FALLS TX 76301
PANHANDLE PLAINS STUDENT SERVICES CLAIMS DEPT PO BOX 839 CANYON TX 79015
PORTFOLIO RECOVERY ASSOCIATES LLC PO BOX 12914 NORFOLK VA 23541
PORTFOLIO RECOVERY ASSOCIATES PO BOX 41067 NORFOLK VA 23541
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541
RANDALL COUNTY APPRAISAL DISTRICT PO BOX 7190 AMARILLO TX 79114
ROUNDUP FUNDING LLC PO BOX 91121 MS 550 SEATTLE WA 98111
TEXAS GUARANTEED STUDENT LOAN CORP TG-MAIL CENTER ATTN CLAIMS CLMS 1-1(1E3) 3500 WADLEY PLACE STE 303 AUSTIN TX 78728
TOYOTA MOTOR CREDIT CORPORATION 5005 NORTH RIVER BLVD NE CEDAR RAPIDS IA 52411
TOYOTA MOTOR CREDIT CORPORATION PO BOX 8026 CEDAR RAPIDS IA 52408
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102
UNIVERSAL CITIBANK ATTN: CENTRALIZED BANKRUPTCY PO BOX 20507 KANSAS CITY MO 64195
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE 3RD FLOOR DALLAS TX 75242
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530
WELLS FARGO BANK NA 4137 121ST STREET URBANDALE IA 50323
WELLS FARGO FINANCIAL BANK PO BOX 14487 ATTN PAYMENT PROCESSING DES MOINES IA 50306
WELLS FARGO FINANCIAL BANK PO BOX 182273 COLUMBUS OH 43218
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242